

OCT 23 2003

#16 DAC #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gerson, Ira A..

Serial No.: 09/412,202

Filed: October 5, 1999

For: Method and Apparatus for Processing
an Input Speech Signal During
Presentation of an Output Audio
Signal§

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Group Art Unit: 2654

Examiner: Chawan, Vijay B.

Att'y Docket: 07942.0007.NPUS00

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OCT 24 2003

OFFICE OF PETITIONS

PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION
PURSUANT TO 37 C.F.R. 1.137(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF EXPRESS MAILING

NUMBER EV 023935372US

DATE OF DEPOSIT October 22, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on
the date indicated above and is addressed to: Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450.

Signature

Dear Sir:

1. This is a petition to revive this unintentionally abandoned application pursuant to 37 U.S.C. §1.137(b).
2. The January 28, 2003 non-final Office Action set a three-month shortened statutory period for reply. The six-month statutory period expired on July 28, 2003.
3. This petition is accompanied by the Applicant's Amendment and Remarks in Response to Office Action Dated January 28, 2003.
4. The total small entity fee being submitted, as set forth in 37 U.S.C. §1.17(m) is \$665.00. The Commissioner is authorized to deduct the fees from Howrey Simon Arnold & White, LLP Deposit Account No. 08-3038.

10/24/2003 BUCNDRA1 00000125 083038 09412202

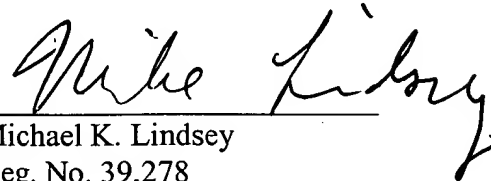
01 FEB 2004 000000 0A

Serial No. 09/412,202
Response to Office Action Dated January 28, 2003

4. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 U.S.C. §1.137(b) was unintentional.

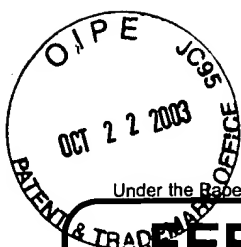
Respectfully submitted,

Dated: October 22, 2003



Michael K. Lindsey
Reg. No. 39,278
Customer No. 22930
ATTORNEY FOR ASSIGNEE,
FastMobile, Inc.

Howrey Simon Arnold & White, LLP
321 North Clark Street, Suite 3400
Chicago, Illinois 60610
(312) 595-1239 (Tel)
(312) 595-2250 (Fax)



PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 665.00

Complete if Known

Application Number 09/412,202

Filing Date October 5, 1999

First Named Inventor Gerson, Ira A.

Examiner Name Chawan, Vijay B.

Art Unit 2654

Attorney Docket No. 07942.0007.NPUS00

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OFFICE OF PETITIONS

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

08-3038

Howrey Simon Arnold White

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) -0-

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) -0-

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	665.00
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 665.00

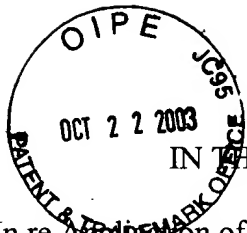
SUBMITTED BY

Name (Print/Type)	Michael K. Lindsey	Registration No. (Attorney/Agent)	39,278	Telephone	312 595-1239
Signature		Date	October 22, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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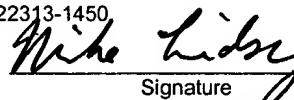
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TRANSMITTAL LETTER

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 Signature	

Sir:

Applicant, hereby submits the following documents to be filed with the United States Patent and Trademark Office:

1. Petition to Revive an Unintentionally Abandoned Application Pursuant to 37 C.F.R. 1.137(b);
2. Amendment and Remarks in Response to Office Action dated January 28, 2003;
3. Fee Transmittal Sheet; and
4. Return receipt postcard.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

The Commissioner is authorized to debit Howrey Simon Arnold & White, LLP Deposit Account No. 08-3038 (07942.007.NPUS00) for any underpayment of fees which may be due in association with this filing.

Respectfully submitted,



Michael K. Lindsey
Reg. No. 39,278
Customer No. 22930
ATTORNEY FOR ASSIGNEE,
YoMobile, Inc.

Dated: October 22, 2003

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